

# House Study Bill 219 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON BLOOMINGDALE)

## A BILL FOR

1 An Act relating to providing certain local government notices  
2 and other information to persons by electronic means.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.305, Code 2021, is amended to read  
2 as follows:

3 **331.305 Publication of notices.**

4 1. Unless otherwise provided by state law, if notice of an  
5 election, hearing, or other official action is required by this  
6 chapter, the board shall publish the notice at least once, not  
7 less than four nor more than twenty days before the date of the  
8 election, hearing, or other action, in one or more newspapers  
9 which meet the requirements of section 618.14. Notice of an  
10 election shall also comply with section 49.53.

11 2. a. If the board is required or authorized by law to  
12 publish a notice or any other information regarding the county  
13 budget or a county property tax levy, the county shall also  
14 provide the notice or information by electronic means to all  
15 persons who have by electronic or other means authorized the  
16 receipt of such items under this subsection.

17 b. An authorization to receive notices or other information  
18 by electronic means under this subsection shall continue until  
19 revoked in writing by the person. Such revocation may be  
20 provided to the board electronically in a manner approved by  
21 the board.

22 c. Electronic means includes delivery to an electronic mail  
23 address or by other electronic means reasonably calculated to  
24 apprise the person of the information that is being provided,  
25 as designated by the authorizing person.

26 d. Information compiled or possessed by the board for  
27 the purposes of complying with authorizations for delivery  
28 by electronic means including but not limited to taxpayer  
29 electronic mail addresses, post office addresses, revocations,  
30 and passwords or other methods of protecting taxpayer  
31 information are not public records and are not subject to  
32 disclosure under chapter 22.

33 Sec. 2. Section 441.28A, subsections 1 and 6, Code 2021, are  
34 amended to read as follows:

35 1. If the assessor is required or authorized by [this title](#)

1 to send any assessment, notice, or any other information to  
2 persons by regular mail, the assessor ~~may~~ shall instead provide  
3 the assessment, notice, or other information by electronic  
4 means if the person entitled to receive the assessment, notice,  
5 or information has by electronic or other means, authorized  
6 the assessor to provide the assessment, notice, or other  
7 information in that manner. ~~An authorization to receive~~  
8 ~~assessments, notices, or other information by electronic~~  
9 ~~means does not require the assessor to provide such items~~  
10 ~~by electronic means and does not prohibit an assessor from~~  
11 ~~providing such items by regular mail.~~

12 6. Information compiled or possessed by the assessor for  
13 the purposes of complying with authorizations for delivery by  
14 electronic means under this title, including but not limited  
15 to taxpayer post office addresses, electronic mail addresses,  
16 waivers, waiver requests, waiver revocations, and passwords or  
17 other methods of protecting taxpayer information are not public  
18 records and are not subject to disclosure under chapter 22.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with  
21 the explanation's substance by the members of the general assembly.

22 Code section 441.28A provides that if the local assessor is  
23 required or authorized to send any assessment, notice, or any  
24 other information to persons by regular mail, the assessor may  
25 instead provide the assessment, notice, or other information  
26 by electronic means if the person entitled to receive the  
27 assessment, notice, or information has by electronic or other  
28 means authorized the assessor to provide the assessment,  
29 notice, or other information in that manner.

30 This bill requires the assessor to provide any assessment,  
31 notice, or other information to the taxpayer by electronic  
32 means if the taxpayer has filed such an authorization.

33 The bill provides that if a county is required or authorized  
34 by law to publish a notice or any other information regarding  
35 the county's budget or a property tax levy imposed by the

1 county, the county shall also provide the notice or information  
2 by electronic means to all persons who have authorized the  
3 receipt of such items under the bill. Electronic means  
4 includes delivery to an electronic mail address or by other  
5 electronic means reasonably calculated to apprise the person  
6 of the information that is being provided, as designated by  
7 the authorizing person. An authorization to receive notices  
8 or other information by electronic means under the bill shall  
9 continue until revoked in writing by the person.